



Town of Berwyn Heights

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MAYOR
Amanda M. Dewey

COUNCIL MEMBERS
Jodie A. Kulpa-Eddy (Mayor Pro Tem)
Christopher S. Brittan Powell
Jason W. Papanikolas
Ethan D. Sweep

Worksession Minutes April 5, 2021 | 7:00 pm

This meeting was held by videoconference due to the ongoing COVID-19 health emergency. The meeting was broadcast on Berwyn Heights cable TV channels and streamed on the Town website. Residents were given the opportunity to join the meeting via Zoom and comment by telephone and email.

The meeting was called to order at 7:00 p.m. Present were Mayor Amanda Dewey, Mayor Pro Tempore (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Christopher Brittan-Powell, Jason Papanikolas and Ethan Sweep. Also present were Town Manager (TM) Laura Allen, Code Compliance Director Hollyce Goodwin, Town Clerk Kerstin Harper, Prince George's County representatives Dawn Hawkins-Nixon, Associate Director of the Sustainability Division, Department of the Environment (DOE), Moses Fadiran, Section Head, Engineering Services Section, Sustainability Division, Department of the Environment (DOE), Vernon Stinnett Jr., Associate Director, Office of Highway Maintenance, Department of Public Works and Transportation (DPW&T), and Michael Snyder, Division Chief, Storm Drainage Maintenance Division, Office of Highway Maintenance (DPW&T).

1. Announcements

Mayor Dewey announced new Covid vaccine eligibility criteria. All adults 16 years and older are now eligible to be vaccinated and are encouraged to register. A new vaccination site will open at Greenbelt Metro Station this week.

2. Approval of the Agenda

On a motion by CM Sweep and second by MPT Kulpa-Eddy, the agenda was approved 5 to 0.

3. Discussion Items

Drainage worksession: Mayor Dewey said Berwyn Heights has a lot of stormwater drainage problems due to its geography. Solutions require homeowners and different government agencies to collaborate. Representatives from Prince George's County's Department of the Environment (DoE) and Department of Public Works & Transportation (DPW&T) have been invited to discuss drainage issues and answer questions. TM Allen added this discussion was requested by MPT Kulpa-Eddy in response to a recent Code Compliance Department monthly report in which drainage issues were highlighted. Code Director Hollyce Goodwin is present tonight to give a presentation on stormwater drainage issues encountered by Code staff.

Director Goodwin welcomed Prince George's County DOE and DPW&T representatives Michael Snyder, Dawn Hawkins-Nixon, Moses Fadiran, and Vernon Stinnett, Jr. Director Goodwin then presented an overview of:

- Common drainage issues reported by Berwyn Heights residents;

- Measures to address and mitigate various drainage issues;
- Town and County regulations about proper discharge of stormwater collecting on a property;
- Permit requirements for working in Town right-of-way and making changes to infrastructure;
- Contacts for seeking help with stormwater problems.

The main reasons for stormwater runoff problems on residential properties are improper grading of a property, being in a low-lying area, extant ground water, excess impervious surfaces, improper outfall from sump pumps, and/ or inadequate stormwater infrastructure. These problems can often be fixed by homeowners by re-grading the property, cleaning rain drains, extending downspouts, installing foundation drains and sump pumps, installing French drains and gravel trenches, and resodding bare spots in lawns to prevent erosion.

If homeowners plan to connect new drains to the public stormwater system or perform work that affects curbs, gutters and roadways, permits are required. Stormwater pipes may not be discharged into neighbors' yards or into curbs, per County regulations adopted by the Town. Permits for working in the right-of-way can be obtained from the Department of Permits, Inspections & Enforcement (DPIE) and the Town's Code Compliance Department.

Prince George's County operates a *Raincheck Rebate Program* which provides funding and technical advice to homeowners who are implementing one or more of several types of stormwater runoff improvements including: installation of rain barrels, cisterns, green roofs, permeable pavement or rain gardens, or planting of new trees.

Moses Fadiran, Head of the DOE Sustainability Engineering Section, reported his findings from site visits to Berwyn Heights properties whose owners had submitted stormwater drainage complaints or inquiries to the County. He said over 70% of complaints are related to the existence of ground water which flows from one yard to next if properties are on a hill. In some cases, the County can make improvements to its stormwater system. However, most drainage problems occur along roads owned by the Town. Improvements, such as installing additional storm drains, are its responsibility and are best done in collaboration with the County and other stakeholders.

Mr. Faridan further noted that most complaints he investigated have been resolved, except one where the natural flow of surface water has been blocked, which is a code violation. Ms. Hawkins-Nixon said often property owners make improvements on their properties which inadvertently impede stormwater flow. Mr. Faridan can make recommendations on how to solve such situations but often neighbors talking with each other can help.

In discussion, the following comments were made:

- Storm drainpipes discharging into the gutter of the road are very common in Town and this practice was allowed in the past. Curb cuts and holes were often made for drainpipes as part of road renovation projects. Policies on how to grandfather existing drainage curb cuts while enforcing new stormwater discharge regulations need to be devised.
- Berwyn Heights' stormwater system is inadequate to handle stormwater runoff from major storms. Alternative solutions to facilitate retention and soil absorption of stormwater should be promoted.
- The Town mandated egress windows for all basement apartments or rented rooms in response to a 2014 flash flood, which endangered the lives of some people living in basements.
- Remedies for stormwater drainage problems need to be developed on a case-by-case basis because the reasons for problems are varied.

- The County is requested to check whether a map of natural springs and streams in Berwyn Heights is available for use by the Code Department.

County representatives responded to questions as follows:

- Potential impacts of climate change are being examined by a PGC Climate Action Commission. It is assumed that heavy rain events will occur with greater frequency and aggravate existing groundwater problems depending on the lay of the land. Tree planting and other stormwater management activities funded through the County's Raincheck Rebate Program can help mitigate impacts.
- The best way to avoid wet basements and standing water on one's property is proper grading around homes to allow stormwater to flow where it should.

There ensued a discussion of stormwater problems with property owners in the 6200 block of Ruatan Street who were present. The owner of 6215 Ruatan Street has repeatedly contacted the County, Public Works and WSSC seeking help with mitigating a constant flow of water coming from a neighbor's property at a higher elevation and destroying her driveway. Stormwater issues occur along all properties located on the hill of the 6200 block of Ruatan Street. County staff has visited these properties to examine water flow but has not found a violation related to stormwater drainage. County staff believes the problem is extant ground water that flows downhill from higher to lower lying properties and requires a comprehensive solution. The Town may need to consider allowing these property owners to tie private drainpipes into the public storm drain system. As the nearest stormwater inlet is at the bottom of Ruatan Street, a new underdrain may have to be installed. The property owners who were present expressed willingness to cooperate and help pay for the infrastructure.

Mayor Dewey thanked the homeowners for bringing their stormwater problems to the Council's attention and encouraged them to stay in touch. The Council and staff will consider how best to address this complex problem. TM Allen said that installation of a new storm drain under the street would be the ultimate solution but presents a substantial financial challenge. She will explore various financing options, including the American Rescue Plan and a possible federal Infrastructure Bill. If funding fails to materialize, the Town may ask the homeowners in the 6200 block of Ruatan to help finance a storm drain project.

Pepco filing comment letter: MPT Kulpa-Eddy explained she provided a draft letter commenting on Pepco's filing regarding a proposed streetlights upgrade and associated rate increases. It represents a compilation of comments from other municipalities submitted to Pepco and made at a public hearing in March. TM Allen has drafted another comment letter, also included in background documents, which the Council may want to consider first as it includes points the Council decided are important to the Town at an earlier worksession.

TM Allen confirmed that her letter is based on the Council's discussion at a February worksession. She has since inquired whether Pepco's rate increases will be permanent or end when the streetlight project is complete but received no definitive answer. Points made in her letter include the following:

- Lighting project complies with guidance from the International Dark Sky Association and the American Medical Association.
- Pepco works in partnership with affected municipalities during project implementation;
- Multiple options for fully shielded and warm lighting are available;
- The cost of the project borne by local governments is fair across the project area;
- Information about the project is available in English and Spanish;
- Data generated by the smart nodes is available to the public.

MPT Kulpa-Eddy offered several additional points to include in the letter for Council's consideration:

- Request a later project implementation date to benefit from the newest technology available; Council agreed not to include a request for a particular time. Council believes LED streetlight technology will not change dramatically in the coming years.
- Request a sunset date for proposed rate increases, as the Town of Kensington has done, to understand the full cost of the lighting upgrade. Council agreed to request more information on the cost of the project, including a sunset date. A related request for information about cost savings from using more efficient LED lights and potential Pepco revenue losses could also be included.
- Request more information on the cost and usage of a proposed Smart Sensor Pilot Program. Smart sensors would monitor pollution, weather, traffic or gun shots in particular areas. Council agreed to request that data collected with smart sensors be made publicly available.
- A comment regarding electric vehicle charging stations was not deemed necessary.

The final Pepco comment letter will be up for approval at the April Town meeting.

FY 2022 draft budget: TM Allen explained several changes made to the draft budget since the Council last discussed it on March 15 and provided answers to questions posed at that meeting. She noted that this budget is balanced at slightly above 4 million dollars, which is 2.4% higher than the FY 2021 budget. This is due in part to a \$205,000 bond bill the State approved for Berwyn Heights, which will be used to replace the Town Center elevator. Further, the FY 2022 budget maintains a real property tax rate of 54.5 cents per \$100 or assessed property value and generates an additional \$100,300 in revenue due to rising property values.

Revenue changes:

+11,000 in building permit line item to reflect increased activity

+205,000 in intergovernmental revenues for bond bill, with no required Town match.

Expenditure changes:

-33.3% reduction in Administration salaries line item due to hiring of entry level Town Clerk.

+14.1% increase in health insurance premiums. The higher-than-expected increase was offset by reductions in Administration capital equipment and miscellaneous benefits line items and shifting of the Senior Center stove purchase to bond bill expenditures.

+ 205,000 for Town Center improvements funded with bond bill.

TM Allen provided answers to Council's questions posed at the March 15 meeting.

- Town's rental licensing fee was set high to cover costs associated with police having to respond to rental properties with greater frequency and to discourage irresponsible landlords.
- The difference between capital outlay and capital projects is that capital outlay is used for non-consumable products with a useful life of more than 1 year, such as computers, versus capital projects, used for big ticket items that add value to the Town's assets, such as new roads or building repairs.
- The Town's cable franchise fees do not include internet revenue.
- Berwyn Heights' Highway User Revenues (HUR) increased slightly over FY 2021, according to data posted by the Maryland Municipal League. However, last year's HUR receipts appear to have been recorded incorrectly and appear to show a decline in HUR receipts.
- The FY 2022 budget does not provide money to be transferred to the Vehicle Replacement Reserve per TM Allen's recommendation.

- The next real property reassessment will occur at the end of this year with the new assessments becoming effective starting in July 2022.
- The costs of the composting program appear higher than they are because an expense for signage at the composting station was posted with the operating expenses.
- The Town will inform residents about property tax relief programs through its weekly and monthly newsletters during tax season and again later in the year when applications are due.

TM Allen highlighted other salient features of the FY 2022 budget:

- Maintains status quo, pending information on the American Rescue Plan Act (ARPA) funds.
- Town Clerk position becomes full-time with associated benefits and incorporates Public Information Aide position.
- Funds 1 ½ % Cost of Living Adjustment (COLA) and 1 % merit increase.
- Reprograms major projects deferred due to the pandemic, including:
 - \$210,000 for road repairs
 - \$50,000 for one hybrid police vehicle
 - \$353,300 for Public Works vehicles
- US Treasury guidance on use of ARPA funds (approximately \$2.75million for Berwyn Heights) is forthcoming.

TM Allen summed up that the Council will hold a public hearing and introduce the budget at the April Town meeting. Meanwhile, the Council is requested to provide further input.

In discussion, the following comments were made:

- Will there be enough money in the Vehicle Replacement Reserve for future vehicle purchases if no transfers are made this year? Yes, because vehicle purchases planned for this fiscal year were not made.
- What is the cost of converting to electric vehicles (for BHPD) and associated charging stations? At this point, the Town continues to plan buying hybrid police vehicles. Longer term, Maryland's Public Utility Commission is likely to require or request utilities to support electric vehicle charging stations that become available to municipalities at no or low cost.
- Residents' tax bills may go up by over \$100 next year due to increasing property values. The publishing of available tax relief programs for those struggling with the loss of income from the pandemic is appreciated.

IT possibilities to improve community engagement: CM Brittan-Powell said he has requested to discuss WiFi connectivity in Town as one aspect of facilitating communication and engagement. He believes IT infrastructure has become very important during the pandemic, as students must rely on it for attending class and accessing learning resources. Through his work, he is aware of different programs and models for improving student access to online academic resources. He would like to brainstorm some ideas on how Berwyn Heights can become a more connected community.

MPT Kulpa-Eddy suggested CM Brittan-Powell attend an Education Advisory Committee meeting to discuss his ideas. CM Brittan-Powell agreed to attend an upcoming BHEAC meeting and to speak to any committee interested in this issue. CM Papanikolas suggested contacting the City of Seat Pleasant, which has done a lot of work in this area. It may also be useful to ask youths to attend a meeting where this topic is discussed to hear what they think.

4. Department Reports

Mayor Dewey announced an April 7 NW/EP meeting. She said everyone 16 years and older is eligible to be vaccinated at the State's mass vaccination sites starting tomorrow, including one at Greenbelt Metro Station. Pre-registration is encouraged. All are asked to continue to follow all applicable COVID protocols.

MPT Kulpa-Eddy reported that several interesting presentations were given at the last PGCMA meeting, including one on the County's 3-1-1 call center, the 2020 Census results to be released on April 30, and a sign-up process to bring vaccination sites to the municipalities. Mayor Dewey added that no vaccination clinic is coming to Berwyn Heights in the near future. The County requires a minimum number of people to be vaccinated per day, which Berwyn Heights is not likely to meet. Apart from that, BHPD has done a very good job helping seniors sign up for vaccinations and they are fine. However, the Town will continue to explore ways to enhance residents' access to vaccines.

MPT Kulpa-Eddy continued that Prince George's County is hosting another virtual meeting on April 8 on a cultural arts study, focused on transportation facilities and connectivity. The MAGLEV comment period has been extended to May 24 and people can also comment at several upcoming virtual public hearings. The Recreation Council will meet tomorrow to continue planning for Berwyn Heights Day. There will be a car parade and a home decorating contest. Another virtual trivia event is scheduled for April 23 in which people can participate individually or as group.

CM Papanikolas said he met with TM Allen and Treasurer Lightfield to discuss ideas about digitizing the signature process. In response to MPT Kulpa-Eddy, TM Allen said that 5 people applied to serve on the Ethics Commission. Mayor Dewey will select 3 and make an announcement at an upcoming meeting.

CM Brittan-Powell thanked the Code Director for a great presentation on stormwater drainage.

CM Sweep reminded residents to continue to wear masks, especially at Lake Artemesia and to adhere to the one-way regulation when walking on the path around the lake. Prince George's County Memorial Library System has released a vaccine hunter hotline 240-392-3622, which people can call between 9am and 7pm on weekdays to get help signing up for vaccination appointments. In Public Works news, an electronics recycling event will take place on April 24 in Greenbelt and the next street sweeping will occur in the first week of May.

5. Resident and Community Comments

There were none.

On a motion by CM Brittan-Powell and second by CM Sweep, the meeting was adjourned at 9:53 p.m.

Signed: *Kerstin Harper*, Town Clerk